

**PROCEEDINGS OF THE
WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY
RESOLUTION AND HEARING DECISION**

**IN RE: CITY OF RENTON
 NEW LIFE - AQUA BARN
 Proposed Annexation
 King County, Washington**

FILE NO. 2270

I. PUBLIC HEARING OVERVIEW

On January 3, 2008, the City of Renton submitted to the Washington State Boundary Review Board a Notice of Intention (File No. 2270) to annex the New Life – Aqua Barn Area. The New Life-Aqua Barn Area, with a total territory of 374 acres, includes 79.9 acres of land (Maple Ridge Estates and View Ridge Estates) that overlaps properties which are also established for incorporation into a proposed new City of Fairwood.

The Notice of Intention is based upon a “property owner” petition (including petitioners representing approximately 60% of land value in the total 374 acre territory and approximately 70% of land value in the Maple Ridge Estates and View Ridge Estates). The petitions were submitted pursuant to RCW 35A.14. Renton’s City Council adopted the petition for annexation in December 2007.

The City of Renton describes the proposal for the New Life - Aqua Barn Area as follows:

- The northern boundary of the Annexation Area is generally formed by Maple Valley Highway (SR 169) and the Maplewood Golf Course.
- The southern- most boundary is generally formed by SE 160th Place (if extended).
- The western boundary of the Annexation Area is adjacent to the City of Renton (generally formed by 136th Avenue SE.)
- The eastern boundary is generally located at 164th Place SE (if extended). The New Life - Aqua Barn Annexation Area is located wholly within the Urban Growth Area designated by King County.

With the filing of the Notice of Intention, the City of Renton invoked the Board’s jurisdiction requesting a public hearing in order to provide citizens an independent forum to obtain information and comment upon the proposed New Life – Aqua Barn Area Annexation.

The Board held a public hearing on February 26, 2008 to consider the proposal by the City of Renton to annex the New Life – Aqua Barn Area (374 acres).

The Board is responsible, under State of Washington law, to: (1) examine the record (e.g., application materials; technical studies; fiscal studies; regulatory analyses; other documents, exhibits, statements and testimony); (2) determine the specific policies and guidelines are applicable to the proposed action; (3) review and balance these elements; and (4) take the action that best advances those elements.

The Board reviewed File No. 2270 in accord with RCW 36.93. (Local Governments – Boundaries – Review Boards). The Board directed particular attention to RCW 36.93.170 (Factors) and RCW 36.93.180 (Objectives). The Board considered RCW 36.93.150, the authority for modification of annexation proposals. The Board also considered RCW 36.70.A, the Growth Management Act, the King County Comprehensive Plan, the City of Renton Comprehensive Plan, together with other applicable state, regional, and local regulations and guidelines.

On the basis of the testimony, evidence, and exhibits presented at said hearing, and the matters on record in **File No. 2270**, it is the decision of the Board that the action proposed in said **Notice of Intention** be, and the same is, hereby **approved** to include the New Life - Aqua Barn Area of approximately 374 acres. The legal description of the New Life - Aqua Barn Area, as approved, is attached hereto and marked as "Exhibit I", together with a map showing the boundaries of the area herein marked as "Exhibit II."

II. FINDINGS

The Board finds that State Law (Chapters 36.93 RCW, RCW 36.70A, RCW 35A.14, et seq.); the King County Comprehensive Plan/Countywide Policies; the Renton Comprehensive Plan and its enabling regulations (e.g., zoning code) apply to consideration of the City of Renton Notice of Intention for the New Life - Aqua Barn Area (374 acres).

The Boundary Review Board finds that the record for File No. 2270 provides documentation (e.g., governance plans and policies; analysis of service capacity; fiscal studies), evidence of community notification, and certification of petitions and/or legislative action. The findings are sustained by this record and are sufficient to support review of the City of Renton New Life - Aqua Barn Area Annexation.

The record supports a finding that the City of Renton New Life - Aqua Barn Area proposed annexation is consistent with the provisions of 36.93, RCW, 36.70A RCW, the King County Comprehensive Plan, and the City of Renton Comprehensive Plan.

The following is a review of applicable legal authorities on which the Board based the review and preliminary decision for proposed annexation to the City of Renton of the New Life - Aqua Barn Area /New Life - Aqua Barn Area.

RCW 36.93.170 FACTORS AFFECTING THIS PROPOSAL

The Boundary Review Board finds the following Factors (RCW 36.93.170) applicable to the proposed City of Renton New Life - Aqua Barn Area.

A brief review of key issues related to each applicable element is presented below:

RCW 36.93.170 (1) POPULATION AND TERRITORY

The Board finds the following factors to be applicable: Population Density; Proximity to Other Populated Areas; Land Area/Land Uses; Comprehensive Land Use Plans; Topography, Natural Boundaries and Drainage Basins; Likelihood of Significant Growth in the Area During the Next Ten Years; and Population Density/Proximity to Other Populated Areas/Land Area/Land Uses.

The entire New Life - Aqua Barn Area lies within the Urban Growth Area delineated by King County.

The State Growth Management Act and the King County Comprehensive Plan provides for transfer of lands in the Urban Growth Area to a local jurisdiction. County Comprehensive Plan/Countywide Policies call for contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.). Policies also establish cities as the appropriate providers of local governance and urban services (e.g., FW-13, CO-1, CO-3; LU-31 - LU-34, LU-36). King County Policy LU-31 requires cities to designate potential annexation areas to include adjacent urban lands and to eliminate unincorporated islands between cities. Policy LU-32 calls upon cities to incorporate lands within annexation areas into city boundaries.

Further, the New Life - Aqua Barn Area is included in the "Annexation Element" of the City of Renton Comprehensive Plan and is located within the Renton Potential Annexation Area. The proposed action is based upon Renton Comprehensive Plan policies addressing annexation, including those provisions which call for inclusion of urban areas within the City for local governance and encourages annexations in areas where urban infrastructure and services are available for development at urban densities and contiguous to City boundaries (e.g., Land Use Policies LU-1; LU-36; LU-37; LU-41 and LU-42).

The evidence shows that annexation of the New Life - Aqua Barn Area is consistent with the provisions of RCW 36.93.170 (1) as this territory is unified – and linked to the City of Renton --with respect to:

- Physical Elements: The New Life - Aqua Barn Area is characterized by numerous environmentally sensitive areas. New Life - Aqua Barn Area is located on a valley floor. The valley includes areas that contain variable topography and habitat areas. Near to the New Life – Aqua Barn Area is a steep ridge classified by the U.S. Geological Service as a landslide hazard area. The valley is in a floodplain that is created by the Cedar River which traverses much of the New Life - Aqua Barn Area. A sole source aquifer underlies territory linked to the New Life - Aqua Barn Area.
- Social Elements: New Life - Aqua Barn Area is an urban community that is characterized by a relatively uniform population density. The community is proximate to other populated areas. Land development (e.g., residential uses, commercial uses, public spaces) are similar throughout the local community and similar to land uses within the adjacent City of Renton.

The City of Renton recognizes that the New Life - Aqua Barn Area is substantially developed with residential uses and limited commercial uses. The City also recognizes that there is land suitable for redevelopment or new development with residential uses and/or commercial uses. There is also opportunity for enhancement of public facilities.

Thus, the City planned for growth at urban levels of density in the New Life - Aqua Barn Area. City plans establish standards to guide ongoing uses in this Area following annexation. Future residential development would reportedly be generally similar to and compatible with existing housing in terms of zoning, levels of density (equal to or less than currently permitted density), and design requirements.

The City also recognizes and has planned for the management of New Life - Aqua Barn Area critical areas (e.g., Cedar River, valley floor, sloped terrain, floodplain, and sole source aquifer). Renton has in place an approved Comprehensive Plan, Zoning Regulations, and a Critical Areas Ordinance that includes provisions to manage these lands for protection of built areas and preservation of environmentally sensitive areas. These regulatory controls include (but are not limited to) land use development/density standards, public services programs (e.g., water service, sewer service, storm water management) and standards for maintenance of open space/vegetated areas.

With annexation of the New Life - Aqua Barn Area there would be an opportunity to immediately provide consistent and coordinated development plans, environmental protection standards, and public services throughout the entire New Life - Aqua Barn Area community.

RCW 36.93.170 (2) MUNICIPAL SERVICES

The Board considered the following factors to be applicable: need for municipal services; effects of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; probable future need for such services; costs; effect on the finance, debt structure and contractual obligations; and prospects of government services from other sources, and rights of other affected governmental units. Following is a brief review of key issues related to these factors.

The New Life - Aqua Barn Area now requires a range of municipal services and facilities. Service policies are established by the State Growth Management Act and the King County Comprehensive Plan. For example, King County Policy FW-13 states that cities are the appropriate provider of local urban services to Urban Areas. Policies FW-29 and FW-30 address the need for jurisdictions to plan for and coordinate services. Additionally, annexation is appropriate under Countywide Policy CO-1, when a jurisdiction has “identified and planned for (a) full range of urban services”.

In accordance with the State Growth Management Act and the King County Plan, the City of Renton has developed policies – through the City’s Comprehensive Land Use Plan, Comprehensive Service Plans, and other regulatory authorities – for serving all properties within its corporate boundaries. Upon annexation of New Life - Aqua Barn Area, the City of Renton would immediately include the newly

incorporated area in the municipality's Service Area. Then, as is customary, the City can provide – either directly or by contract – a full array of specific service plans and programs for public services including: water service, surface water management, sewer service, fire service, police service, emergency medical services, utilities, road maintenance, law and justice services, human services, libraries, and parks and recreation services. These services can be provided in response to citizen requests for new services or to supplant failing systems. More specifically:

Storm Water Management: The City of Renton has adopted the *1990 King County Surface Water Design Manual*, by reference, in the City's Drainage (Surface Water) Standards (RMC 4-6-030) as the design standard for surface water control in development projects. Higher standards may be applied through environmental review. The City frequently requires mitigation based upon the County's *2005 Surface Water Manual for Conservation Flow* and will adopt next year the Washington State Department of Ecology's. *2005 Ecology Stormwater Manual*.

Water Services: The New Life - Aqua Barn Annexation is located within the Cedar River Water and Sewer District, an independent water district, serving the area. Water service would not change as a result of the proposed annexation.

Sewer Services: The Cedar River Water and Sewer District also is the designated sewer service provider for this area. However, much of the development in this area is currently served by septic systems and would likely remain on septic service until redevelopment occurs at which time connections would be provided to sanitary sewer service.

Emergency Services: Upon annexation, the Renton Police Department would replace the King County Sheriff as the provider of services to the New Life - Aqua Barn Annexation Area.

The area proposed for annexation lies within both Fire Districts #25 and #40. The Renton Fire Department currently provides fire services and medical emergency services to the New Life - Aqua Barn Annexation Area under a contract with Fire Protection District #25. Upon annexation, the City of Renton would continue to provide fire services and emergency services to New Life - Aqua Barn Area.

Other Community Services: Both County and City library facilities and recreation facilities would be available to the community. The City would provide either directly (or by contract with King County) for law and justice services, public health services, and other human services. Citizens would be able to access local recreational facilities at rates established for residents of the City.

There would be no change in School District boundaries. Children of the New Life - Aqua Barn Annexation Area would continue to attend schools in Renton School District No. 403.

The City of Renton conducted fiscal analyses related to the proposed New Life - Aqua Barn Annexation Area in order to identify General Fund revenues and costs associated with governance of/service to the New Life - Aqua Barn Area. The analysis was conducted for the existing full development scenario based both upon the current year and estimated future years. Studies estimate City expenditures at \$1,267,624 and revenues at \$1,234,628.

City officials state that the annexation is not anticipated to have a significant impact upon the community. More specifically, the addition of the New Life - Aqua Barn Annexation Area is not expected to have a significant impact on cost and adequacy of services, finances, debt structure or rights of other governmental units.

If New Life - Aqua Barn Annexation Area residents decide that they wish to have other local services, and the City of Renton is designated as the service provider, it is likely that Local Improvement Districts will be formed to address costs to property owners for standard connections and services. Future capital needs and costs will be established and funded through the Renton Capital Investment Program and other funding systems as appropriate to the service (e.g., water, sewer service).

The King County Comprehensive Plan/Countywide Planning Policies permit – and encourage – annexation of the New Life - Aqua Barn Area. A consolidated annexation provides for a more logical municipal service area. The City can provide cohesive policies, standards, coordinated programs and operations to the New Life - Aqua Barn Area. Coordinated services are more efficient and less costly to both government and citizens.

RCW 36.93.170 (3) EFFECTS OF PROPOSAL

The Board considered the following factors to be applicable: mutual economic and social interests, and local government structure. Below is a brief review of key issues.

The New Life - Aqua Barn Area is contiguous to – and shares mutual social and economic profiles with – the City of Renton.

Annexation of the New Life - Aqua Barn Area would promote a viable community because new citizens would be able to participate in local governance – including land use planning, service planning, fiscal planning and planning for public amenities to serve the community. Coordinated integration of citizens of the New Life - Aqua Barn Area into Renton would preserve social organization, support economic health, and protect public safety and welfare.

Annexation of the New Life – Aqua Barn Area is also consistent with the King County Annexation Initiative which calls for annexation of urban lands to local jurisdictions at the earliest feasible date. City officials testified that the City of Renton is prepared to govern and to provide full services to this community. Annexation of the New Life - Aqua Barn Area into the City of Renton promotes strong and unified local government.

Annexation of the New Life - Aqua Barn Area would promote a viable community because new citizens would be able to participate in local governance – including land use planning, service planning, fiscal planning and planning for public amenities to serve the community. Coordinated integration of citizens of the New Life - Aqua Barn Area into Renton would preserve social organization, support economic health, and protect public safety and welfare.

CONSISTENCY WITH THE GROWTH MANAGEMENT ACT

Pursuant to RCW 36.93.157, Boundary Review Board decisions must be consistent with three sections of the Growth Management Act:

- RCW 36.70A.020 Planning Goals
- RCW 36.70A.110 Urban Growth Areas
- RCW 36.70A.210 Countywide Planning Policies

In this matter, the key Growth Management issues involve the Countywide Planning Policies pertaining to land use and municipal services (RCW 36.70A.020 and RCW 36.70A.110). The Growth Management Act policies that guide the provision of public services and relevant to the proposed Annexation include:

- RCW 36.70A.020 (1) Urban Growth: Encourages development in urban areas where adequate public facilities and services exist or can be provided efficiently.
- RCW 36.70A.020 (2) Reduce Sprawl: Reduce inappropriate conversion of undeveloped land into sprawling low-density development.
- RCW 36.70A.020 (10) Environment: Protect and enhance the environment and quality of life.
- RCW 36.70A.020 (11) Citizen Participation and coordination in the planning process and ensure coordination between communities/jurisdictions to reconcile conflicts.
- RCW 36.70A.020 (12) Public Facilities and services: Ensures that adequate public services and facilities are available to serve land developments.
- RCW 36.70A.110 (1/6) calls for each county to designate an urban growth area.
- RCW 36.70A.110 (3) directs urban growth to areas with existing or available public services and facilities.

- RCW 36.70A.110 (4) states that “(in) general, cities are the units of local government most appropriate to provide urban ...services.”
- RCW 36.70A.210 (1) calls for cities to be primary providers of governmental services in urban growth areas.

Annexation of the New Life - Aqua Barn Area into the City of Renton would effectively address Growth Management Act criteria for incorporation of urban areas.

RCW 36.93.180 OBJECTIVES

The Boundary Review Board has considered RCW 36.93.180 (Objectives), as follows:

RCW 36.93.180 (1) PRESERVATION OF NATURAL NEIGHBORHOODS AND COMMUNITIES

The evidence establishes that the New Life - Aqua Barn Area is a “neighborhood” as that term is defined by case law as “either geographically distinct areas or socially... distinct groups of residents”. The New Life - Aqua Barn Area, in its entirety, exhibits many features that support its link with the City of Renton.

The New Life - Aqua Barn Area is connected to the City of Renton by geographic features including variable terrain characteristics (a valley floor formed by a steep ridge), the Cedar River, a floodplain, a sole source aquifer, and linked open spaces.

New Life - Aqua Barn Area and the adjacent City of Renton community are primarily residential in character. The citizens have similar demographic characteristics. Residents of the City and the New Life - Aqua Barn Area use common community facilities – schools, roadways, libraries, shopping centers, parks, and recreation facilities.

The City of Renton Comprehensive Plan establishes New Life - Aqua Barn as a Potential Annexation Area. Accordingly, the City of Renton is the jurisdiction designated to govern New Life - Aqua Barn Area. The City included the New Life - Aqua Barn Area in community planning programs in order to guide its growth and to provide coordinated services. The City of Renton has existing plans, programs, statutes, and guidelines that will provide appropriate levels of development, public services, and public amenities that will serve the citizens and address the natural environment.

The Board recognizes that a portion (79.9 acres) of the New Life – Aqua Barn Annexation overlaps with a proposal now before the Board for a new City of Fairwood (File No. 2258). Testimony established that, based upon historic studies and currently available data, there would be minimal impact from inclusion of this area in the New Life – Aqua Barn Annexation (and concomitant exclusion of this territory from the City of Fairwood).

The City of Renton has plans, programs, statutes and guidelines that will provide for both routine administration and emergency management necessary to preserve environmentally sensitive areas (e.g., valley floor, steep slopes, landslide areas) within and near to the New Life - Aqua Barn Area.

The evidence shows that upon annexation of the New Life - Aqua Barn Area, the City of Renton would provide property owners/residents a voice and a vote in planning for the future preservation and development of their community. Community representatives demonstrate interest in participating in establishing plans to effectively govern and serve this area as a part of a unified community.

Lying within the boundaries of the New Life – Aqua Barn Annexation Area lies Elliott Farm, designated as a landmark in 1990. King County Countywide Planning Policies (e.g., FW-25, CC-1, CC-2) require that such historic resources be accorded protection by all jurisdictions. The City of Renton stated its intent to work with the County to ensure preservation of this area.

Annexation of the New Life - Aqua Barn Area to the City of Renton advances the objective of preserving the natural neighborhood as this action would encourage more effective connections to the jurisdiction.

State Growth Management policies (RCW 36.70A.020) support the annexation of the New Life - Aqua Barn Area to the City of Renton.

King County Comprehensive Plan/Countywide Planning Policies support the annexation of the New Life - Aqua Barn Area to the City of Renton. For example, County Comprehensive Plan/Countywide Policies call for contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.). King County Policy LU-31 requires cities to designate potential annexation areas to include adjacent urban lands and to eliminate unincorporated islands between cities. Policy LU-32 calls upon cities to incorporate lands within annexation areas into city boundaries. Additionally, annexation is appropriate under Countywide Policy CO-1, when a jurisdiction has “identified and planned for (a) full range of urban services... .”

The Board finds that the annexation of the New Life - Aqua Barn Area will advance RCW 38.93.180 - Objective 1.

RCW 36.93.180 (2) USE OF PHYSICAL BOUNDARIES, INCLUDING BUT NOT LIMITED TO BODIES OF WATER, HIGHWAYS, AND LAND CONTOURS

Based upon its physical boundaries, the New Life - Aqua Barn Area is appropriate for annexation to the City of Renton. The annexation comprises reasonable physical boundaries, including co-terminus borders, rights-of way, and individual property lines.

State Growth Management policies (RCW 36.70A.020) support the annexation of the New Life - Aqua Barn Area to the City of Renton. The evidence shows that King County Comprehensive Plan/Countywide Planning Policies support the annexation of the New Life - Aqua Barn Area to the City of Renton. For example, County Comprehensive Plan/Countywide Policies call for contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.). King County Policy LU-31 requires cities to designate potential annexation areas to include adjacent urban lands and to eliminate unincorporated islands between cities. Policy LU-32 calls upon cities to incorporate lands within annexation areas into city boundaries. The City of Renton established New Life - Aqua Barn Area in its Comprehensive Plan as a Potential Annexation Area; therefore, the City of Renton is the jurisdiction designated to govern New Life - Aqua Barn Area.

Annexation of New Life - Aqua Barn Area to the City of Renton will create and preserve logical, discernible neighborhood boundaries. Citizens would benefit by stronger neighborhood links resulting from annexation and by uniform governance available to the community.

The Board finds that annexation of the New Life - Aqua Barn Area advances RCW 38.93.180 - Objective 2.

RCW 36.93.180 (3) CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS

Approval of the annexation of New Life - Aqua Barn Area into the City of Renton will advance the objective of creation and preservation of logical service areas. The evidence shows that the New Life - Aqua Barn Area is linked to the City of Renton by the built environment – i.e., similar types of land uses and levels of density, by common physical elements (e.g., roadways); and by critical areas (e.g., Cedar River, topographic features – valley floor and sloped terrain; floodplain; sole source aquifer).

Annexation of the New Life - Aqua Barn Area will create and preserve logical service areas by including a greater number of properties in the City of Renton’s service area thereby enabling the design and the implementation of efficient, consistent, consolidated service programs throughout the greater community.

The City of Renton has existing plans that identify the City as the authority responsible for provision of public services and public amenities that will protect the built community and preserve the natural environment. These plans include, but are not limited to, the: Comprehensive Land Use Plan, Comprehensive Sewer Plan, Comprehensive Water Plans, Transportation Element of the Comprehensive Plan, Comprehensive Storm Water Management Plan). The City also has specific plans and contracts for provision of emergency services, including fire prevention, policing, medical aid, as well as an array of public facilities and amenities. More precisely:

- The City of Renton has specific plans, programs, statutes and guidelines that will enable the City to immediately provide accessible local government to the New Life - Aqua Barn Area.

- The City of Renton has specific plans, programs, statutes and guidelines that allow the City to immediately provide a full array of services to the New Life - Aqua Barn Area. Services include fire prevention, policing, medical aid, storm water management, and utilities. Water service and sewer service are also available to all properties. The City also provides law and justice services, housing services, and human services programs. Services also include parks and recreation facilities, libraries, and other public amenities.
- The City of Renton has specific plans, programs, statutes and guidelines that will provide for both routine administration and emergency management (e.g., land maintenance, storm water management, flood control) necessary to preserve environmentally sensitive areas within and near to the New Life - Aqua Barn.

The State Growth Management Act and the King County Comprehensive Plan support the annexation of New Life - Aqua Barn Area into the City of Renton. The evidence shows that annexation of New Life - Aqua Barn Area is consistent with State policies (RCW 36.70A) and County policies that provide for transfer of lands in the Urban Growth Area to an established local jurisdiction in order to ensure that citizens benefit from reliable governance and service. King County Policy LU-31 requires cities to designate potential annexation areas that include adjacent urban lands and eliminate unincorporated islands between cities. The City of Renton established New Life - Aqua Barn Area in its Comprehensive Plan as a Potential Annexation Area; therefore, the City of Renton is the jurisdiction designated to govern New Life - Aqua Barn Area.

Annexation of the New Life - Aqua Barn Area to the City of Renton is consistent with County Comprehensive Plan/Countywide Policies that call for contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.). Policies that establish cities as the appropriate providers of local governance and urban services (e.g., FW-13, CO-1, CO-3; LU-31 - LU-34, LU-36) also support the proposed New Life - Aqua Barn Area. The County supports annexation of urban areas because it does not have sufficient resources to efficiently manage and serve unincorporated islands.

Annexation of the New Life - Aqua Barn Area to the City of Renton would create a logical local governance plan for the greater community. Under the aegis of the City of Renton, a single established local jurisdiction, citizens would receive the benefits resulting from coordinated, efficient, and reliable land development, public service programs and public facilities. Citizens will benefit from the City of Renton's regulation and preservation of the environmentally sensitive areas that exist within the New Life - Aqua Barn Area and link to the City of Renton.

The Board finds that annexation of the New Life - Aqua Barn Area advances RCW 38.93.180 - Objective 3.

RCW 36.93.180 (4) PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES

The evidence shows that the New Life - Aqua Barn Area is similar to -- and linked with -- the built community in the adjacent City of Renton. The Area is characterized by environmentally sensitive areas extending to (and impacting) the City of Renton.

Approval of New Life - Aqua Barn Area would result in boundaries which are regular on the northern, western, and eastern boundaries.

The proposed southern boundary of the New Life – Aqua Barn Area is irregular in that the annexation area is bisected by a peninsula of properties (Elliott Farms Subdivision) which is not included in the New Life – Aqua Barn Area. City of Renton officials testified that it welcomes citizens interested in joining the City but its policies do not provide for City officials to solicit community members to annex to Renton. Thus, it is the citizens who defined the specific boundaries of the New Life - Aqua Barn Area. Should citizens of nearby unincorporated areas (e.g., Elliott Farms Subdivision) wish to annex into Renton, the City would be willing to include those citizens. At present this community has expressed no interest in joining Renton, but has expressed interest in joining a proposed City of Fairwood.

The evidence shows that, although the borders of the New Life – Aqua Barn Area are not geometrically regular in form, the proposed boundaries are plausible based upon current interests of affected property owners and future plans for incorporation of urban areas into local jurisdictions and the topography of the area where the otherwise irregular boundaries lie.

Moreover, the New Life – Aqua Barn annexation is part of an overall plan by the City of Renton, to assemble all territory within the jurisdiction's Potential Annexation Area into an incorporated community. Thus, ultimately, with connection to a new City of Fairwood or, a future annexation to the City of Renton, regular boundaries should be achieved in this area in keeping with RCW 36.93.180.

The evidence shows that annexation of the New Life - Aqua Barn Area into the City of Renton would also incrementally advance the State Growth Management Act and the King County Comprehensive Plan policies. Annexation of New Life - Aqua Barn Area is consistent with State policies (RCW 36.70A) providing for transfer of lands in the Urban Growth Area to an established local jurisdiction in order to ensure that citizens benefit from reliable governance and service.

Further, County Comprehensive Plan/Countywide Policies contemplate contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.). For example, King County Policy LU-31 require cities to designate potential annexation areas to include adjacent urban lands and to eliminate unincorporated islands between cities. The City of Renton identifies New Life - Aqua Barn Area in its Comprehensive Plan as a Potential Annexation Area; thus, Renton is the jurisdiction designated to govern the New Life - Aqua Barn Area.

Evidence shows that the County would have preferred that the New Life – Aqua Barn Annexation Area include the adjacent Elliott Farms Subdivision as such inclusions would provide for a more regular boundary and improved service levels to the area. However it is recognized that the residents of this area declined to join in the annexation. Further, it is possible to continue service to the Elliott Farms Subdivision. As a result, the County is not willing to work to compel annexation at this time.

New Life - Aqua Barn Area includes boundaries that are reasonable and necessary to facilitate coordinated land uses, offer effective, efficient provision of services, and preserve critical areas for the benefit of the greater community. Annexation of the New Life - Aqua Barn Area to Renton would enable uniform local governance and coordinated services under a single local jurisdiction.

The Board finds that annexation of the New Life - Aqua Barn Area advances RCW 38.93.180 - Objective 4.

RCW 36.93.180 (5) DISCOURAGEMENT OF MULTIPLE INCORPORATIONS

RCW 36.93.180 (5) is not applicable to File No. 2270.

RCW 36.93.180 (6) DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS

RCW 36.93.180 (6) is not applicable to File No. 2270.

RCW 36.93.180 (7) ADJUSTMENT OF IMPRACTICAL BOUNDARIES

Annexation of the New Life - Aqua Barn Area to the City of Renton would create more practical boundaries to enable coordinated governance. Annexation would place the natural environment and built environment under City jurisdiction, thus creating uniform governance of this community.

Evidence shows that the proposed New Life - Aqua Barn Area annexation would promote a cohesive community that will facilitate participation in local governance. Annexation of the proposed New Life - Aqua Barn Area into the City of Renton would also permit the City to work with citizens to achieve:

- coordination of land planning and management activities (e.g., implementation of uniform land uses and development standards);
- effective and efficient provision of public facilities and public services;
- coordination of maintenance and emergency management for environmentally sensitive areas. For example, the proposed boundary will create confusion for emergency service providers.

Evidence shows that annexation of the New Life - Aqua Barn Area into the City of Renton is consistent with State Growth Management Act and promotes the King County Comprehensive Plan policies. Annexation of New Life - Aqua Barn Area is consistent with State policies (RCW 36.70A) policies that provide for transfer of lands in the Urban Growth Area to an established local jurisdiction in order to ensure that citizens benefit from reliable governance and service.

County Comprehensive Plan/Countywide Policies call for contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.). King County Policy LU-31 requires cities to designate potential annexation areas to include adjacent urban lands and to eliminate unincorporated islands between cities. The City of Renton identifies New Life - Aqua Barn Area in its Comprehensive Plan as a Potential Annexation Area; therefore, the City of Renton is the jurisdiction designated to govern New Life - Aqua Barn Area.

The New Life - Aqua Barn Area has boundaries which are practical and necessary to facilitate coordinated land uses, promote effective, efficient provision of services, and preserve critical areas for the benefit of the greater community. Annexation of the New Life - Aqua Barn Area to Renton will enable uniform local governance and coordinated services under a single local jurisdiction.

The Board finds that annexation of the New Life - Aqua Barn Area advances RCW 38.93.180 - Objective 7.

RCW 36.93.180 (8) INCORPORATION AS CITIES OR ANNEXATION TO CITIES OF UNINCORPORATED AREAS WHICH ARE URBAN IN CHARACTER

The entire New Life – Aqua Barn is located within the Urban Growth Area established by the King County Comprehensive Plan. The New Life - Aqua Barn Area designation as an “urban” area is also supported by the State Growth Management Act. The City of Renton Comprehensive Plan includes the New Life - Aqua Barn Area in its Potential Annexation Area and designates this territory as an urban area.

Approval of New Life - Aqua Barn Area is appropriate based upon the direct associations between this unincorporated area and the City of Renton. These links are based upon the similar existing/future built community and the connected environmentally sensitive areas. This association is germane to both existing land characteristics and future designation/use plans for the New Life - Aqua Barn Area.

The evidence shows that the territory proposed by the City of Renton for New Life - Aqua Barn Area includes lands that are suitable for annexation to a local jurisdiction in accord with statutory mandate (e.g., RCW 36.93, the State Growth Management Act, and the King County Comprehensive Plan, *et seq.*). Immediate annexation of the New Life - Aqua Barn Area into Renton would promote uniform governance, development, and public services/facilities appropriate for this urban territory.

The Board finds that annexation of the New Life - Aqua Barn Area advances RCW 38.93.180 - Objective 8.

RCW 36.93.180 (9) PROTECTION OF AGRICULTURAL AND RURAL LANDS FOR LONG TERM PRODUCTIVE AGRICULTURAL/RESOURCE USE

RCW 36.93.180 (8) is not applicable to File No. 2270.

III. BOUNDARY REVIEW BOARD FINDINGS AND DECISIONS

The Boundary Review Board conducted review and deliberation of File No. 2270 based upon the record of written documents and oral testimony, in keeping with applicable state, regional and local regulations. The Board focused upon RCW 36.93 (Boundary Review Board Enabling Act); RCW 36.70A (Growth Management Act); King County Comprehensive Plan/Countywide Policies; City of Renton Comprehensive Plans, RCW 35A.14 (Annexation of Cities); RCW 35.02 (Incorporation of New Cities) and

other relevant regulations and guidelines. As prescribed by statutory mandate, the Boundary Review Board considered the following options:

- The New Life - Aqua Barn Area Annexation (374 acres) could be accepted as initially proposed by the City of Renton, if this action advances the provisions of RCW 36.93 and other applicable regulations (e.g., State Growth Management Act, the King County Comprehensive Plan and the Renton Comprehensive Plan).
- The New Life - Aqua Barn Area could be modified to reduce the area for annexation by ten percent (37 acres), if the proposed modification advances the basic requirements of RCW 36.93 and other applicable regulations (e.g., the State Growth Management Act, the King County Comprehensive Plan, and the Renton Comprehensive Plan).
- The New Life - Aqua Barn Area Annexation could be denied in its entirety if annexation fails to advance any of the objectives contained in RCW 36.93 and other applicable regulations.

The record for File No. 2270 is detailed and extensive. The parties provided considerable materials supporting their positions. The Board reviewed the complete record to come to a decision for the proposed New Life - Aqua Barn Area (374 acres).

The Boundary Review Board finds that:

- New Life - Aqua Barn Area/New Life - Aqua Barn Area annexation proposal was evaluated according to the criteria established in RCW 36.93.170.

Annexation of the New Life - Aqua Barn Area is consistent with the provisions of RCW 36.93.170 (1); RCW 36.93.170 (2) and RCW 36.93.170 (3).

- New Life - Aqua Barn Area/New Life - Aqua Barn Area annexation proposals were evaluated according to the criteria established in RCW 36.93.180 as follows:

RCW 36.93	NEW LIFE – AQUA BARN AREA (374 ACRES)
OBJECTIVE 1 – PRESERVATION OF NATURAL NEIGHBORHOODS AND COMMUNITIES	ADVANCES CRITERION AS ANNEXATION INCLUDES ALL PROPERTIES IN A NATURAL COMMUNITY SEEKING AFFILIATION WITH THE CITY OF RENTON
OBJECTIVE 2 – USE OF PHYSICAL BOUNDARIES	ADVANCES CRITERION AS IT COINCIDES WITH PROPERTIES IN THE COMMUNITY SEEKING AFFILIATION WITH THE CITY OF RENTON AND CONSISTENT WITH ESTABLISHED COMPREHENSIVE PLAN BOUNDARIES
OBJECTIVE 3 – CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS	ADVANCES CRITERION AS AUBURN CAN SERVE ENTIRE AREA TO PROTECT PUBLIC WELFARE.
OBJECTIVE 4 – PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES	ADVANCES CRITERION AS IT COINCIDES WITH PROPERTIES IN THE COMMUNITY SEEKING AFFILIATION WITH THE CITY OF RENTON – THEREFORE MOVING FORWARD TOWARD THE ULTIMATE ESTABLISHMENT OF REGULAR BOUNDARIES TO SUPPORT A UNIFIED COMMUNITY AND STREAMLINE SERVICE PROVISION
OBJECTIVE 5 – DISCOURAGEMENT OF MULTIPLE INCORPORATIONS	ADVANCES CRITERION AS ANNEXATION, RATHER THAN INCORPORATION, IS PROPOSED FOR THIS AREA.
OBJECTIVE 6 – DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS	DOES NOT APPLY
OBJECTIVE 7 – ADJUSTMENT OF IMPRACTICAL BOUNDARIES	ADVANCES CRITERION AS IT COINCIDES WITH PROPERTIES IN THE COMMUNITY SEEKING AFFILIATION WITH THE CITY OF RENTON—THEREFORE MORE PRACTICAL BOUNDARIES ARE CREATED TO SUPPORT A UNIFIED COMMUNITY AND TO STREAMLINE SERVICE PROVISION

RCW 36.93	NEW LIFE – AQUA BARN AREA (374 ACRES)
OBJECTIVE 8 – INCORPORATION ...OR ANNEXATION TO CITIES OF UNINCORPORATED URBAN AREAS	ADVANCES CRITERION AS IT COINCIDES WITH PROPERTIES IN THE COMMUNITY SEEKING AFFILIATION WITH THE CITY OF RENTON — THEREFORE ACHIEVING PROGRESS TOWARD INCORPORATION OF THE ENTIRE DESIGNATED URBAN AREA INTO A LOCAL JURISDICTION.
OBJECTIVE 9 – PROTECTION OF AGRICULTURAL AND RURAL LANDS ...	DOES NOT APPLY

- New Life - Aqua Barn Area annexation proposals were evaluated according to the criteria established in the State Growth Management Act (RCW 36.70A). Annexation of the New Life - Aqua Barn Area is consistent with the provisions of RCW 36.70A.
- New Life - Aqua Barn Area/New Life - Aqua Barn Area annexation proposals were evaluated according to the criteria established in the King County Comprehensive Plan/Countywide Planning Policies. Annexation of the New Life - Aqua Barn Area is consistent with the provisions of the King County Comprehensive Plan/Countywide Planning Policies.
- New Life - Aqua Barn Area annexation proposals were evaluated according to the criteria established in the City of Renton Comprehensive Plan. Annexation of the New Life - Aqua Barn Area is consistent with the provisions of the City of Renton Comprehensive Plan.
- Annexation of the New Life - Aqua Barn Area is consistent with other applicable statutory mandates (e.g., RCW 35A.14, *et seq.*)

IV. CONCLUSION

Annexation of the New Life - Aqua Barn Area advances the objectives established in the Boundary Review Board Act (RCW 36.93), Growth Management Act (RCW 36.70A), King County Comprehensive Plan, City of Renton Comprehensive Plan, and other state and local guidelines for annexation of urban areas.

The Boundary Review Board approval of the City of Renton Notice of Intention to annex the New Life - Aqua Barn Area (374 acres) is timely based upon the City of Renton's current and historical commitment to guide development and provide municipal services to this area. Annexation will enable the City of Renton to provide a harmonious efficient plan for the governance of the built community, preserving the environment, and protecting public health and welfare.

(Note: Under state law, the City of Renton must adopt an Ordinance or Resolution affirming the New Life - Aqua Barn Area Annexation following action by the Boundary Review Board. Under state law, the City must confirm the action as approved by the Boundary Review Board. Alternatively, the Council may decide not to pursue the action. However, the City cannot modify the boundaries that have been approved by the Boundary Review Board.)

NOW, THEREFORE,

BE IT RESOLVED BY THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY THAT, for the above reasons, the action proposed in the Notice of Intention contained in said **File No. 2270** be, and the same is, hereby **approved** as described in Exhibits attached hereto and incorporated herein by reference.

ADOPTED BY SAID WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY by a vote of _____ in favor , _____ in opposition, and _____ abstentions, on this 10th day of April, 2008, and signed by me in authentication of its said adoption on said date.

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY

Claudia Hirschey, Chair

FILED this _____ day of _____, 2008 **BY:**

Lenora Blauman, Executive Secretary

EXHIBITS

EXHIBIT I CITY OF RENTON NEW LIFE - AQUA BARN AREA: LEGAL DESCRIPTION OF ANNEXATION AREA BOUNDARIES

EXHIBIT II CITY OF RENTON NEW LIFE - AQUA BARN AREA: MAP OF ANNEXATION AREA BOUNDARIES